

# A C R Y <sup>446</sup>

AGAINST

16<sup>th</sup> 178

## Oppression & Cruelty:

B E I N G

A short account of the Tryal, and of the Sentence that was passed on several innocent people called *Quakers*, who are Inhabitants of the City of *Worcester*.

At the Assizes holden there the 16, 17, and 18<sup>th</sup> days of the 5<sup>th</sup> Month called *July*, who were imprisoned because they refused to swear in obedience to the commandment of Christ Jesus, &c.

And for assembling themselves together peaceably in the Name and fear of the Lord, to worship him in Spirit and Truth, according to his Will.

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And when they bring you unto the Synagogues, and unto Magistrates and Powers, take ye no thought how or what thing ye shall answer, or what ye shall say, for the Holy Ghost shall teach you in the same hour what you ought to say, Luke 12, 11, 12.

The wicked delighteth in mischief, but the followers of Truth abhorreth their ways, &c.

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L O N D O N,

Printed, and are to be sold by *William VVarwick*, 1663.

# AGAINST **Oppression & Cruelty:**

B-R-I-N-G

A short account of the Trial, and of the Sentence that  
 was passed on several innocent people called Quakers,  
 who are Inhabitants of the City of Worcester.

And a short history of the 16, 17, and 18th days of  
 the 10th Month called Fasts, who were imprisoned because  
 they refused to swear in obedience to the com-  
 mandment of Christ Jesus, &c.

And a short history of the 19th day of the 10th Month  
 called the 19th day of the 10th Month, who were  
 imprisoned because they refused to swear in obedience  
 to the commandment of Christ Jesus, &c.

And a short history of the 20th day of the 10th Month  
 called the 20th day of the 10th Month, who were  
 imprisoned because they refused to swear in obedience  
 to the commandment of Christ Jesus, &c.

And a short history of the 21st day of the 10th Month  
 called the 21st day of the 10th Month, who were  
 imprisoned because they refused to swear in obedience  
 to the commandment of Christ Jesus, &c.

TO WADON.

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## A Cry against Oppression and Cruelty, &c.

**I**F we should altogether hold our peace, and not publish to the World what hard measure we have received from some who are in Authority, wholly, and without any just occasion given unto them, as on our parts; yet doubtless the righteous God who sees and beholds all the actions of men, and will justly recompence for the same, will in his own time clear our innocency, and plead our cause; for whose sake we suffer, our Consciences bearing us perfect witness thereunto. Yet in regard of some who have been informed otherwise concerning the cause of our sufferings, then indeed it is, as though we suffered in our own wills, and in contempt of Authority, and as though we were against all good Government, when the truth is much otherwise. Therefore to wipe off such aspersions, that such as have been misinformed concerning us, may understand the truth; this we declare in our own defence.

First, We are brought to deny our selves from following our own wills, that we might do the Will of God in every thing, who hath called us to follow peace and holiness with all men: And this we are taught to do by that Principle which God hath placed in us, and not only in us, but in all men, which is the Light which Christ hath enlightened every man withal, which lets them see their sin, and wherein they are short in what they ought to be. This is that which we say will lead even all people to do, as they would be done unto, and to seek others welfare as their own, which every Christian ought to do, and whosoever they be that are short in these things, though they be called by the Name of Christians, yet not doing that which the Spirit of Christ leads unto, which is

to seek others welfare as their own, and to do as they would be done by; though they may call themselves Christians, yet indeed and really they cannot be said so to be. Many Reasons might we give for what we have affirmed, but this is sufficient, It is said in the Scripture, That so many as are led by the Spirit of God, they are the sons of God. And we say, Such as are Christians indeed, do, and are made partakers of Christ's nature. But it may be questioned, What is the Nature of Christ? Answer, Meekness and humility, and lowliness of spirit, agreeable to his own words, who said, *Learn of me, for I am meek and lowly in heart, &c.*

O that those who are the cause of our oppression for the exercise of our Consciences towards the Lord, even the righteous God of Heaven and Earth, because we fear him, and do labour to keep our Consciences void of offence towards him: We wish that they and all others whose day of Visitation is not quite past, would take diligent heed to the pure Light of Christ which shines in their hearts, and so come to learn of Christ to be as he was, that their souls may enter into rest, that the Kingdom of God they may know in them, which consists in peace and joy in the Holy Ghost, &c. and this we do from our hearts desire on their behalf.

Another thing charged against us by some is, That we do what vve do in contempt of Authority, &c.

*Ans.* God vvho knowveth our hearts, can bear us vvittnesse to the contrary, unto vvhom vve do appeal, and to his faithful Witness in every mans Conscience, vvhich vvill let them see that vvhat vve do, vve do it not in contempt of Authority, but for Conscience-sake towards God; and if men require that from us vvhich God doth forbid to be done, vvwhether it be not better in such a case to obey God rather than man? Let his faithful Witness in every mans Conscience give an answer.

Another thing charged against us by some is, That vve are against all good Government, &c.

*Ans.* Unto vvhich Charge vve say, Nay; for vve are for a good Government, and all just Lavvs and just Magistrates

We



we own, and do honor such as do rule for God, who are a terror to the evil doer, and a praise to them that do well; such bears not the Sword in vain, such answers the Witness of God in every mans Conscience, which is just. But such as do govern contrary to God's Witness in every mans conscience, doing that which is unjust and unequal in the sight of the Lord, who is just, and whose way is equal, it is such as the Light doth reprove and condemn in their own Consciences; and such as these we cannot own, but must testifie against. And if by such our sufferings be continued, we shall not rise up with carnal Weapons to work our own deliverance, but patiently endure what may be further laid upon us for the Truth's sake, committing our Cause unto the Lord, in whom we trust, and do believe that he will in his own time deliver us by his holy Arm of Power; unto whom be praises, and dominion, and thanksgiving for his mercy and loving-kindness, who keepeth Covenant and mercy with all who trust in him from generation to generation for ever.

*Concerning the manner of our Tryal, and of the sentence that was past on us afterwards.*

Several of us being brought into the Court by the Judges Order the 16th day of the 5th Month called July, some of us were brought to the Bar; first, *Thomas Ball* was brought, unto whom the Judge spake as followveth.

Judge. *Have you taken the Oath of Allegiance?*

*Tho. Ball.* Ans. Nay.

Judge. *Will you take the Oath?*

*T. B.* Nay, Christ hath commanded to the contrary, vvho said, *Swear not at all.*

Then *William Pit* vv as brought to the Bar; the Judge spake to him, &c.

Judge. *Upon what account were you at Robert Smith's House the 8th day of June?*

*W. P.* Where are my Accusers?

Judge. *Will you take the Oath?*

*W. P. An.* Let me be cleared of what I stand here charged for; then I shall answer to this.

Next *Gervase Pierson* was brought to the Bar; the Judge speaks to him, &c.

Judge. *Will you take the Oath?*

*G. P. Ans.* I never read nor heard of that Law, that by virtue thereof men might be kept five Weeks in prison till a crime is found against them.

Judge. *Were not you at the Meeting?*

*G. P. I do not say I was there.*

Judge. *I do not go about to ensnare you by your own words.*

*G. P. Then let it be proved I was there.*

Judge said, *Call Robert Smith to the Bar. Robert Smith standing up, the Judge speaks to him as followeth:*

Judge. *Are you a Prisoner?*

*Robert Smith answered;* About five or six Weeks ago, I with many others were by force of Military men taken Prisoners; and since so continued.

Judge. *What is the reason you appear thus contemptuously before the Court with your Hat on?*

*R. S.* My Hat is my own, and I came truly by him, and it is not in contempt I wear him.

Judge. *By it you contain the Authority and Laws of this Kingdom.*

*R. S.* Where is that Law that forbiddeth a man to wear his own Hat? Instance it.

Judge. *It is a custom in England to shew their subjection to Authority by putting off their Hats.*

*R. S.* It is a custom in England for men to wear, or to come before Courts with Coats or Cloaks, and I am here without either; and is not the one as much a contempt as the other?

Judge. *Fine him five pounds, and record it, and now take off his Hat.* Which the Gaoler did accordingly.

Judge. *Did you ever take the Oath of Allegiance?*

*R. S.* I have been Prisoner five or six Weeks; and I would know the cause of my imprisonment.

Judge. *I meddle not with your Imprisonment; but here you are before*

see me, and here I find you, and do tender to you the Oath of Allegiance: Will you take it, or no? For I tell you the danger which will follow, you will incur Premunire, and forfeit your Estate to the King.

R. S. Who was that Law made for? the Papists or us?

Judge. For both.

R. S. Why then is it not tendered to them, as well as to us?

Judge. They have already taken it.

R. S. Suppose I find some Papists, or Popishly affected, sitting on the Bench, shall it be tendered unto them?

Judge. They have done it already.

R. S. Let us and the people see it, that we may be satisfied.

Judge. Will you take the Oath, or not? Otherwise we will record your refusal, and call you again to morrow, & upon your second refusal record it also, and shall pass the sentence of Premunire upon you.

R. S. Shall the Example of Christ determine the controversy between us?

Judge. I came not to dispute with you about the Doctrine of Christ, but to teach you the Doctrine of the Law.

R. S. Must the Doctrine of the Law make void the Doctrine of Christ?

Judge. Will you answer speedily whether you will take the Oath, or no?

R. S. Love obligeth to Allegiance more than Oaths can do.

Judge. Then signifie your Allegiance by an Oath.

R. S. That which obligeth me not to swear, obligeth me to injure no man.

Judge. Take him away.

R. S. Friends, The things that are required at our hands, is, to deny that which to us are the Lords Truths; the one is, Not to swear at all; the other is, The assembling our selves together. Rather than so to do, I am not here onely ready to suffer, but also to seal those Truths with my blood, if thereunto required.

Judge said, God forbid I should seek your blood.

Then we were returned back again to prison, till the next day; in the mean time several Bills of Indictment were drawn up against us; for we understand, that before some of us were called for to be brought into the Court, the Judge asked the Grand

And Jury whether they had any Bills against the Quakers? Answer being made by them of the Grand Jury; They had nothing to give in against us. Then the Judge ordered some of us to be sent for, that they hearing our Answers to such Questions as he put forth to ensnare us, might from thence have an occasion to draw up some Bills against us. So the Judge put them in the way how to draw up Bills against us, whose directions they were ready to observe, though it tended to the ensnaring of the innocent. Several Bills being drawn up against us, one against *Robert Smith* in particular, and six more against the rest of us; whereof some were drawn up according to the common Law, which is in French, which the Jury did not understand. This being done, we were all sent for to come into the Court.

We have not written these things out of hatred to those who are the cause of our present sufferings, but that the truth might appear, and that such who have not done justly towards us in these things, may for the time to come be careful, and repent of what they have done unjustly against us, and resolve never to do the like in time to come, lest they feel the Lords heavy displeasure, who is just, and whose Ways are Truth and Equity, and will render unto all men a reward according to their Works.

The 17<sup>th</sup> day of the Month we were all brought into the Court, being in number twenty four persons, being put together with the Felons, *Robert Smith* being called to the Bar, the Bill that was found against him was read, which was for refusing to swear: The Clark of the Range spake to him as followeth.

Clark, *Are you guilty or not guilty?*

R. S. I have been detained a Prisoner, and not yet the Fact signified unto me, or my crime laid to my charge: Therefore clear me, or charge me for what I was first imprisoned, and then I may answer unto this charge.

Judge

*Judge.* You will not be permitted to speak except you plead to your indictment, and then you shall be heard.

*Rob. Smith.* What the Scripture forbiddeth, the Law ought not to compel unto.

*Judge.* I will have no discourse with you about Scripture, or other matters, will you answer to your indictment or not?

*Rob. Smith.* Yesterday Christ's example would not be permitted of, and to day no Scripture: it is time to be silent if truth and Scripture may not determine a matter.

*Judge.* Be speedy in your answer, you will not be permitted to weary the Court.

*Rob. Smith.* That Law by which I am tried was provided for such as did labour to murder and betray the Government of England, and in that it was just, and how can it then reach me or them unto whom such a thing cannot be charged; and therefore that Law is to try such as are before mentioned.

*Judge.* If you will not answer, I must and shall proceed.

*Rob. Smith.* That Law which compels to that which Christ forbids, is an unsound Law; but that Law which compels to swear, compels to that which Christ forbids, therefore an unsound Law.

*Judge.* Take him away.

Then John Price, John Townsend, James Moor, Edward Lewis, Susanna Pierson, were brought to the Bar; two Bills of indictment being read, by which they were indicted, the one for holding all oaths to be unlawful, the other for meeting together in the house of Robert Smith, by force of Arms and contempt of the Laws of the Land, &c. which indictments were filled up with many untruths.

John Price being called, the Clerk spake to him, &c.

*Clerk.* Are you guilty or not guilty?

John Price. There be many errors and falsities in the indictment, of which I am not guilty.

Then the Clerk spake to John Townsend with others of us, who answered after the same manner, which we forbear to mention, according to the questions and their answers for brevity sake.

Susanna Pierson was called.

*Clerk.* Are you guilty or not guilty?

Sus. Pierson. Whose Ox or whose Ass have I taken, or who

have I defrauded? if I have taken ought from any man, I will restore him four-fold.

Judge. Answer, guilty, or not guilty?

Sus. Pierson. The Indictment is false.

Judge. Answer, guilty, or not guilty? answer to the indictment, and then you shall be suffered to plead, saying, I will do you no wrong.

Sus. Pierson. I desire you to look upon the Kings Proclamation, but the Judge denied, and caused me to be pulled down.

Now the Proclamation forbids any Souldiers or others to come into the houses of the Kings Subjects without sufficient warrant, or else to be looked upon as contemnors of the Government, &c. which might have been of use to us if we could have had Justice therefrom, for those that came to pull and hale us forth from our meetings would shew us no warrant or order they had so to do.

Then Edward Bourn, George Knight, Tho. Jukes, Robert Tompkins, John Clarke were brought to the Bar, two Bills of indictment being presented against them. The one for maintaining that all oaths are unlawful, &c. The other for meeting together at the house of Robert Smith, June 11, which Bills being drawn up according to the form before expressed, by which the other friends were indicted.

Whereupon the Clerk of the Arraigners spake to Edw. Bourn and the rest, as followeth.

Clerk. Are you guilty, or not not guilty?

Edw. Bourn. I desire I may have liberty so speak.

Judge. You shall have liberty to morrow to speak as much as you will when you come to your tryal, but now you must answer whether you are guilty or not guilty?

When I would have spoke, I was interrupted, and not permitted.

Then the Clerk proceeded.

Clerk. E.B. what say you, are you guilty or not guilty?

Edw. Bourn. I am clear from many things which are charged in the indictments against me.

Clerk. Then you are not guilty.

Then the next was called, the indictment being read to him.

Clerk. Guilty, or not guilty?

*George Knight.* That I was at *Rob. Smicks* was true, but that I was there at a tumultuous meeting, or to the ill example of the Kings Subjects, that I deny.

So the rest of us being questioned, after the reading of the indictments unto them: whether they were guilty or not, returned their answer to the same effect as we had done before them.

We desired copies of our indictments, that we might the better give in our answers upon our further tryal, which the Judge promised we should; but when they were to be had, we could not have two copies of them, except we would give fourteen shillings for them, therefore we chose rather to make our defence without them, then to pay so dear for that which might have been writ upon one side of half a sheet of paper.

Then Richard Fido, William Pitt, Tho. Ball, Abraham Roberts, Gervase Pierson, Abra. Armes, Geoffery Rasmos, and others were brought to the Bar; two Bills of indictments being read, which were preferred against them to the same effect as the other before mentioned, one of them bearing date June 8, being the day they were taken prisoners, &c.

Richard Fido was called.

**Clerk.** *Are you guilty, or not guilty?*

*Rich. Fido.* Not guilty of many things therein mentioned.

Then *William Pitt* was called.

Clerk. *Are you guilty, or not guilty?*

*Will. Pitt.* The question is very difficult, there being some things therein true, and many things false.

Clerk. *Then that which is false you are not guilty of.*

Then Geoffery Rasmos was called.

Clerk. Are you guilty or not guilty?

Geoffery Rasmos. I am an innocent man, where are mine accusers?

The rest of us being asked the same questions, returned answer to the same effect as the other had done before.

Then we were all returned to prison again till our further trial, which was the next day, when sentence was passed on us, as afterwards is mentioned.

The 18. day of the 5. moneth called *July*, we were all brought into the Court again, being placed among the Fel-  
 B 2 lons.



lone, after a while Robert Smith was brought to the Bar.

Judge. Robert Smith, Will you answer to your indictment or not, if not, you shall not be permitted to speak, but I shall pass sentence upon you.

R. Smith was going to speak, but interrupted —

Judge. This is the sentence and judgment of the Court concerning you: You are to be out of the Kings protection, and to forfeit your personal estate for ever to the King, and your real estate during term of Life, &c.

Rob. Smith. The Lord gives, and if he permits to be taken away, the will of the Lord be done.

On the 21 day of the same moneth the Sheriff seized on the goods of Rob. Smith, and did take an account or Inventory thereof, as much as to the Ladle, Flesh-fork, and Links, and a basket which cost but three farthings.

And now for the tryal of the rest, &c.

John Price, John Townsend, James Moor, Edw. Lewis, Susan Pierson, being brought to the Bar the second time, two Witnesses swore to the indictments, whose evidence was proved to be false, for when the Judge said to us, we were taken such a day or time, Susanna Pierson replied, saying, that was false, for we have been in prison a moneth, which was near a fortnight before that time. Then the Judge said we were brought before the Mayor; unto which Susanna Pierson answered, it is utterly false; and said further, he was not a competent Witness, who hath sworn as before said, and also because he had enmity in his heart against us. Susan Pierson said, the Witness was utterly forsworn, and a perjured man; upon which the Judge said to Susan, Take heed what you do, for he may bring his action against you; and so instead of reproving the evil-doer, his hands were strengthened in bearing false Witness. And also herein it doth further appear, that the Witnesses were forsworn, because they swore that two of our friends who were with us at the place where we were taken prisoners, were not there at that time, who were, and also committed to prison with us.

Su. Pierson. May I have liberty to speak.

Judge. Yes, if you will speak to the indictment.

Su. Pierson. Whereas it is said we went to our meetings by force of arms, that is false, for we go innocently, and have had dirt thrown

down in our faces going to, and coming from our meetings; without lifting up our hands against any.

Judge. That is a form of Law, and it is used as a form; as thus, If that two or three men should assemble at one place, contrary to the Laws of this Realm, and although they have no visible weapons with them, yet their so meeting together is by force of Arms; because it is contrary to the Laws; and if they do but disturb the peace, it is by force of arms, expressed in all indictments.

Now let it be considered how that form of Law can be good and just, wherein things are expressed otherwise then it is, as to say the People are met together by force of Arms, when the least appearance of such a thing cannot be found amongst them.

We being taken away, *Edm. Bourn*, *Geo. Knight*, *Tho. Jukes*, *Rob. Tompkins*, and *John Clark* was brought to the Bar the second time; our indictments being read to us, and the Witnesses produced, which swore against us; *Edm. Bourn* spake as followeth.

*Edm. Bourn*. When we were taken prisoners, they came with Swords and Guns without any warrant or order, contrary to the Kings Proclamation, &c. but that was little regarded.

Then the Witnesses were called to swear to the indictments; *Edm. Bourn* spake to the Judge.

*Edm. Bourn*. I desire liberty to ask a question?

Judge. No: But you may put what question you will to the Witnesses.

*Edm. Bourn*. I not being permitted to speak what I desired to the Judge, and perceiving one of the Witnesses had sworn falsely, as to the time of our being taken prisoners; I enquired of him when it was that we were met together?

Witness. It is in less time then a moneth.

*Edm. Bourn*. That is not so, for we had been five Weeks prisoners then, ——— Afterwards the prisoner took another Witness in a lye, and spake to him concerning what he did inform the Judge, that it was false also; wherenpon the Judge spake as followeth:

Judge. If it be false you need not say so, that is unmannerly, but you may say it is an untruth then.

*Ed. Bourn*. That which is a Lye, is a Lye, I hope in meekness one may speak the thing as it is, I do not speak it in malice; for

for indeed I was there in my own defence, and in the fear of the Lord; and as for malice I dare not keep in my heart against any, for I am a Christian, and have learned of Christ to love my enemies, and to do good to them that hate me.

And further it was observed, that the Witnesses durst not swear that we were met together as in pretence to worship God; because they heard nothing read or spoke amongst us, which the Judge and Jury was often minded of, but we were many times interrupted; and not permitted to speak.

One of us asked the Judge, whether it was not a point in Law to make void the indictment, when the Witnesses had sworn contrary to the time?

Judge. No, so long as it was one time or other.

Geo. Knight spoke.

Geo. Knight. The witnesses have sworn that we were at Rob. Smiths between the hours of 11 and 12 of the clock; and I can prove by divers witnesses that I was in my Fathers business at that time, and many hours after.

Judge. Were you not there that day?

Geo. Knight. That is not to the purpose whether I was there that day or not, &c.

Here the Jury may take notice that the Witnesses swore more out of enmity against us then otherwise, they swore so carelessly.

Many questions were asked of us that we by answering might ensnare our selves, which we understand by the Laws of the Land the Judge ought not to have done, but rather to have advised and counselled us how to make our defence with safety to our selves. It was a saying of Judge Heath, that the Laws of England were merciful Laws, and that it was the Judges duty to be helpful and assistant to the prisoner, rather then to ensnare them.

R. Tompkins said, I was at my Fathers house that time when the Witness swore I was at Robert Smiths, as several can witness.

Judge. Were you there that day?

R. T. I am not to accuse my self.

Judge. What did you meet together for?

Ans. Many times when we are met together, we take care for

for such ed may be in want amongst us.

Judge. That is an unlawful way to meet privately upon that account, you ought to do it publicly by the Overseers of the Parish, and Churchwardens, according to the Law of the Land.

As for That we do also, I desire to know whether we may not except against the Jury, for there be some of them which we took upon to be our open enemies.

Judge. It is too late, the Jury are sworn already.

Gen. Knight. We did not know that.

Judge. That was your own fault.

Let it be considered how that could be our fault, when we were kept close prisoners while the Jury was sworn? E. B. seeing there could be no exception against the Jury, who were all strangers to him, said, Let them alone, if they are not right, I desire they may live to be better.

As to the Jury, they had been sworn before we were brought into the Court, and further we have been informed, that there was another Jury impannelled before these, which was afterwards discharged, because it was thought they would not serve our adversaries ends; and those men impannelled in their rooms, that they might have their purpose of us, who are no enemies unto them, but their friends and lovers of their souls, and desire the good of all men, that they may know the truth, and be saved from everlasting misery and destruction.

Edw. Bourn spake to the Judge.

E. B. Is not there one Bill drawn up against us, for holding the taking of all Oaths to be unlawful?

Judge. Yes.

E. B. Have any sworn to that Bill against us?

Judge. No. Did not the Mayor tender the Oath to you when you were committed?

E. B. Nay.

Then the Judge spake to the Mayor concerning it, and spake again to E. Bourn.

Judge. Will you say so, when the Mayor offers to take his Oath of it?

E. B. I believe the Mayor may remember very well that the Oath was not tendered to us when we were committed.

Alder.

Alderman Solley offered to take his Oath that the Oath was tendered to us.

E.B. Alderman Solley was not there when we were committed to prison. — Let the Reader understand that that before mentioned hath relation to the prisoners when at the Bar.

E.B. spoke further to the Judge and those who sat with him on the Bench in judgment upon the innocent.

E.B. I desire you to be careful, and do no otherwise with us then you may give a comfortable account to the Lord; and as you own your selves to be Christian Magistrates, deal with us as becomes Christians, for we are Christians our selves.

Judge. God forbid I should do otherwise with you, and lifted up his hands, saying, If I do otherwise, it will be between me and the Lord.

E.B. I desire to ask one question in the fear of the Lord?

Judge. That you may in the fear of the Lord.

E.B. Suppose that if Christ and his Apostles were here at this time, and if they should meet together, would not this Law take hold of them?

Judge. Yes, that it would, — but said afterwards, I will not answer your questions, — And said, you are not Apostles.

E.B. We are Christians, followers of Christ as they were; then interrupted.

Judge. Take them away.

And as to what I then said, it is truth, for we know that the same Spirit which led them, leads us; even the Spirit of truth which leads unto all truth; and if it were not for the truths sake that we suffered, we were in a sad condition; and people may well believe, that if it were not to keep our peace with the Lord: we would not expose our selves to such hardships and cruelty as we do meet withall from the world, because we refuse to swear, in obedience to Christs command, who saith, swear not at all; and because we dare not neglect to assemble our selves together in the name and fear of the Lord; it being that way by which we have found him, and have and do enjoy his holy presence amongst us, &c.

Then Richard Eids, Will Pitt, Edm. Stanton, Abr. Roberts, Gervase Pierſon,

*Abraham Armer* and others were brought into the Court the Indictments being read, the Witnesses sworn and *Mr. Armer*

Judge spake, *Will you take the Oath of Allegiance?*

*R. F.* I did never deny Allegiance to the King by way of swearing, until I knew that Principle which did more oblige me to the King than swearing can do.

Judge. *What is that Principle you speak of?*

*R. F.* It is the pure Principle of God, which leads me to do to all men as I would they should do unto me.

Judge. *That is a good Principle, it is the Word of God.*

Judge. *Will you take the Oath now?*

*R. F.* Is there amongst you any one that can accuse me of any thing done by me against the King, that by it I should be suspected? Or what is the ground of tendering it to me?

Judge. *It is in order to one of your Indictments.*

*W. P.* It is very well known you have been a suffering people for these many years under the former Power in this very matter; so that if this had been the first Oath we had refused to take, you might have had more ground to have suspected our Allegiance to the King and his Government.

*R. F.* I desire to hear the Witness that speaks to the Indictment.

*W. P.* Before the Witness be sworn, I desire to be informed by the Court, lest through our ignorance of the Law we should deprive ourselves of our own proper right: The matter is this, Whether we may have liberty to except against such men of the Jury that are greatly prejudiced against us, and so not competent Judges in this matter.

Judge. *Before the Jury was sworn, you might, but now you cannot.*

*W. P.* We were not present when the Jury was sworn: Wherefore it seemeth we are deprived of our just rights in this matter.

Judge. *What have you to say against them? I hope they are none of them of your Faction?*

*W. P.* If yhat we have to say will not dismiss them, it is to no purpose to declare it.

One of the Witnesses swore, that we were at a Meeting about



bout the number of 46. and that we refused to take the Oath of Allegiance at our commitment.

The Judge asked another of the Witnesses what he could say—Witness, *I was there too; and I say as he said, Sir.*

R. F. This Witness makes nothing against us: What visible testimony have you against us tending to the Worship of God.

Witness. *None at all.*

Judge. *What were they doing?*

Witness. *Some sitting, and some standing.*

R. F. Did you hear any one pray, or speak, or see any Book opened amongst them?

Witness answered, *No.*

Judge. *What have you to say for your selves? For what end were you at that unlawful Meeting?*

W. P. There are three or four fatherless Children amongst us, vvhich we are to take care for, that they may not be chargeable to Parishes for maintenance; such things are taken care for amongst us when we meet together Sometimes; and whether we were not met together at that time, for that end, you are to prove.

Judge. *If you were met together for that end, it is unlawful; for you are to go from House to House.*

W. P. That which is charitable, is not unlawful.

Judge. *I leave that to the Jury, whether they will take this new invented Plea, for a sufficient ground to excuse your being at that unlawful Assembly or not: Although the witness may prove little, if the Jury believes you were met together under pretence of Religious worship, as they well may, it being your constant practice, they may find the Bill.*

R. F. You of the Jury, take notice that all this makes nothing against us.

Judge. *That is true, I may speak to the Jury for you.*

R. F. But give me leave to inform them with the truth.

The Judge spake to this purpose following, and would not allow Rich. Fidoe to speak.

Gentlemen of the Jury, it is true, this witness makes nothing against these men; yet I shall leave it to you, that if you do believe they did meet together under pretence of religious worship, you may find the Bill.

Many



Many things more were mentioned between other Friends at the Judge tending to the purpose before expressed, which are left out; so we were taken away, and not permitted to speak what we would, although the Judge spoke otherwise the day before, saying, we should have liberty to speak as much as we would when we came to our tryal; and said he would do us all the right he could; but let the Witness of God in every ones Conscience answer whether it were so or not.

The Jury being returned to give in their verdict, found the Bills against us, notwithstanding the evidence was made void in effect, as upon the examination of the Witnesses doth appear before-mentioned, upon our tryal.

Then John Price, John Townsend were called to the Bar, with *Su. Pierson*, to receive the sentence; also *Edw. Bourne*, *Geo. Knight* and *Robert Tompkins*, *Tho. Jakes* and *John Clark* were called to the Bar the third time; and the Oath was tendered unto them before sentence was passed. *Robert Tompkins* desired to hear the Oath read, which was accordingly done.

Judge. Will you take the Oath?

*Tompkins* answered, No—it is not my principle to swear.

*E. Bourne* spake, What is truth in the Oath we can promise; and if we do not swear, it is in obedience to Christ's command; but if you can convince us by the Scriptures, that we may swear, and not offend the Lord, see what we will not do.

Judge. I will not talk with you according to the Scriptures; I know the Scriptures you will bring is that which saith, Swear not at all; but I deny your meanings.

*E. B.* We mean no otherwise but what Christ and his Apostles meant.—So the Judge would not be perswaded by us to take in hand to convince us according to the Scriptures, but proceeded to pass sentence upon us.

Judge. This is the sentence and judgement of the Court, You are fined 5*l.* a piece, and if you do not pay the fines, nor if there be no distress to be made in a Weeks time, you are to be committed to the House of Correction, and to be put to hard labour for three months.

*E. B.* The Lord judge between you and us.

Judge. Take them away.

Then *R. Fidoe*, *Wil. Pyt*, *Ed. Stanton*, *Gervase Pierson*, *Abra. Roberts*, *Abr. Armes*, *Fran. Harvey*, *Fran. Finch*, *Jes. Rasmus*, *T. Ball*, and

and John Wayte were brought to the bar the third time.

G. P. I desire to know when, or at what time the King's two Declarations, the one from *Breda*, the other concerning *Book of* *Magical Affairs*, were made void.

Judge. They are, what's that to you?

G. P. We expected some benefit by them. Which Declarations tended to the giving liberty to tender Consciences in matters of Religion, though differing from others in opinion therein, which do not disturb the peace of the Kingdom, which we have not done.

G. P. Are the King's Words of no value?

Judge. Come, you are a *fancy Companion*.

Then the Judge proceeded to sentence, passing the same sentence upon us as upon the other Friends aforementioned; upon which *William Pytt* spake as follows.

W. P. Well, not only our Goods and our Liberties are we willing to offer up in this matter, but also our lives if it be required.

Then after our Trial, and sentence was passed on us as before is expressed, we were taken away & brought to prison again, being filled with peace & joy in the Lord, whose pure love hath largely abounded towards us; blessed & praised and magnified be his holy & glorious Name above every thing, forever, Amen.

And thus such as are sober-minded may see what hard measure we have received from some in Authority, only and alone for the exercise of a good Conscience towards the Lord, & not for any injury or wrong that we have done unto any man; this just God can bear us witness herein; and thus the Scripture is made good, being fulfilled in us, which saith, *Whosoever will live godly, in Christ Jesus, must suffer persecution.* And as there was a generation in time past which sought an occasion against *Daniel*, but could find none except it was about the matter of his God, for which cause they laboured with the King *Darius*, until they had obtained a Decree against him, *Dan. 6.* But remarkable in the passage about the same, for the Lord delivered *Daniel*, but his Enemies fell into the snare which they had laid for him. And though it be so come to pass concerning us, that a Decree is sealed against us about the matter of our God, whom we fear, and dare not but hear his voice, and obey him in what he commands us, by which we do, and may suffer for this only cause;

ause, yet notwithstanding these things, let persecutors and haters of that which is good, bear this in mind, that the Lord God is the same to save, help and deliver them who fear and put their trust in him, as he was in times past, and repent before it be too late, remembering what Christ hath said, who said it would be better for such that offend the least of those who believe in him, that a Millstone were hanged about their necks, and they cast into the sea.

E. Bourn.

*Here followeth a Copy of a Letter directed to Judge Hide, and Judge Terril, which was delivered before our Tryal.*

**F**Riends, It cannot be unknown to you, but that we have been a suffering people for many years past, and are so at this time, and that it hath not been for any evil, neither is it for any evil by us done towards any people, the righteous God can bear us witness herein; but only for the exercise of a good Conscience towards him, in doing that which he requires from our hands, who hath called us unto peace and holiness; and w<sup>o</sup> unto us if we do it not; for consider in meekness, and in the fear of the Lord, how can we neglect that which we believe the Lord doth require at our hands, but we must be offenders against him in a high nature? And if we must come before you in order to our tryal, deal righteously with us in the sight of the Lord, in whose hands your life is, your breath is, and all you do enjoy, he can soon deprive you of, if it be his Will. Therefore in his holy fear deal justly and righteously with us in his sight, lest you provoke him against your selves, and kindle his Wrath and displeasure against your own souls. Therefore in much love to you do we desire you to do that which is right in the sight of the Lord towards us, and towards all in matters by you to be determined of, that so it may go well with you here and hereafter for ever. It is well known to the generality of the Inhabitants of the Nation, that we are peaceable; and we desire the good and welfare of all people, that they may know the truth, and be saved from everlasting destruction. And therefore why should we be hindered from the exercise of our consciences towards the Lord, seeing we are peaceable, and no ways injurious unto any? And we believe your selves have  
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experience of the same, which was the ground of our oppression in the days of *Oliver Cromwel*, and of his Son *Richard Cromwel*, under whose Governments we were greatly oppressed, because we could not conform to them in matters about Religion; for whose cruelty and injustice the Lord hath overturned them & such as took part with them therein, and you do now possess their places, not that you should do as they did, but that you should answer the end of the Lord therein, in doing justly, loving mercy, and walking humbly before him, who is to be feared, and will justly recompence all according to their doings; and now hath given you a day to try and prove you herein, whether you will do what he doth from you require, or not. Therefore mind what the Lord doth require at your hands, and answer him therein, that ye may be a blessing to the Nation wherefoever you come; for in this your welfare dependeth eternally.

From the Prison in *Worcester*  
the 15. of the 5. mon. 1662.

*From lovers of your souls, who  
desireth the peace and welfare of  
all mankind, who suffer bonds  
with many more for righteous-  
ness sake, called Quakers.*

E. B. R. F. E. S. W. P. R. S. S. P. &c.

## POSTSCRIPT.

**VV**hat is before mentioned, is, as near as we could remember, the substance of the passages at our Tryal. Many things more might have been mentioned of what then passed, but we were willing to be as short as we could in publishing a Relation thereof, commending our selves with the Controversie between us and our Opposers, to be decided by God's Witnes in every ones Conscience which shall read or hear the same.

*Worcester Prison the 10th. day  
of the 6. Month 1662.*

A brief account of the imprisonment and tryal of some more of our friends, who are Inhabitants of Worcester-shire,

**U**Pon the 20. day of the 5. Moneth 1662. came a party of Souldiers to the Town of Pershore, where some of them were peaceably assembled in the fear of the Lord, and lay violent hands on them, drawing them forth from the meeting, and some out of their houses, and off from their own ground with their swords drawn, and forcing them along the streets, and forced them into an house, not showing them any order for what they did, until they had been kept several hours in the house, where they were close detained prisoners, and their friends not permitted to come to them; and afterwards took them to Worcester, striking them, and giving some of them sore blows: Some moderate people seeing it, desired them to forbear striking them; then they fell a striking and cutting the people with their swords, and so brought them to the prison in Worcester without any *Mis-  
simus*.

Upon the 5. and 6. days of the 6. Moneth, *Ed. Hall, George Fort, Henry Gibbs*, with the rest of our friends who were taken prisoners with them at Pershore, vvere brought before the Justices at the Sessions in Worcester to be tried with several other of our friends who vvere taken from their peaceable meeting being assembled in the fear of the Lord at *Dudly* in Worcester-shire, at the same time as friends in Pershore vvere taken, vvhose names are, *Richard Payton, John Newcomb, Thomas Denton, and Sutton Bagley*. All these before mentioned, vvere tried at the Sessions then holden, being made offenders about the oath of Allegiance, because they did not sweare, the Jury finding them guilty, though in the sight of the Lord they are innocent from the breach of any just Law; sentence vvas passed upon them, as followeth.

*Richard Payton* being brought into a *Premunire*, his personal estate was forfeited to the King for ever, and his real estate during term of Life, and himself to be out of the Kings protection, and to remain in prison during the Kings pleasure, &c.

The rest of them, viz. *Ed. Hall, George Fort, Henry Gibbs, John Newcomb, Thomas Denton, Sutton Bagley, John Johnson, William Collins, and Ed. Gibbs*, vvere fined five pounds apiece, and for

vvant

want of distress, or not payment of the same in a Weeks time after sentence was past, to be committed to the house of Correction, and there to be put to hard labour for three Months.

And thus for no evil, but for keeping a good Conscience with the Lord do we suffer, the Scripture being fulfilled in us, which saith, he that departeth from evil maketh himself a pray, *Ps. 34. 14, 15, 16, 17 &c.*

*And so the Lord be praised for ever more.*

**Queries to the Compellers in Religious matters.**

**W**Hether you yourselves would be compelled from your Religion, or not: if not, then do ye, as ye would be done unto, compell others unto that, when as you would not be compelled your selves.

Whether that which you compell unto, be truth, or not: if truth, why did ye deny it, is not practising it, or suffering for it, about 8. or 9. years ago; if not truth, do you well to force unto it.

Whether to allow liberty in honest and religious matters, be not a more sweeter, and also an acceptabler sacrifice to God, then to oppress conscience about it, and to make men alien to their own faculties and consciences, to their households concerning it.

Whether it be lawfull for beaueyns, to force in things against conscience, and whether Christian-like, or otherwise to neglect the matter, and to take the worse to be an example herein.

Whether to punish that which is conscientious in others, doth not truly bespeak the persecutors thereof, more rather lovers of vanity, than of truth.

Whether to punish a man and his family, and yet not wisely by that done, be truly religious and prevailing virtues to make Protestants conformise.

What is the ground of oppression, and whence had it its descent from God the Author thereof, and did good men practise it in any manner.

**Robert Smith**

**THE END**

Printed by George Fort, Henry Gibbs, John Collins, Thomas Dorr, John Johnson, William Collins, and Ed. Gibbs, were lived five pounds apiece, and for

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